



City Council Meeting

SYNOPSIS

Tuesday, November 7, 2017

SAM LICCARDO, MAYOR

CHAPPIE JONES, DISTRICT 1

SERGIO JIMENEZ, DISTRICT 2

RAUL PERALEZ, DISTRICT 3

LAN DIEP, DISTRICT 4

MAGDALENA CARRASCO, VICE MAYOR, DISTRICT 5

DEV DAVIS, DISTRICT 6

TAM NGUYEN, DISTRICT 7

SYLVIA ARENAS, DISTRICT 8

DONALD ROCHA, DISTRICT 9

JOHNNY KHAMIS, DISTRICT 10

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On occasion the City Council may consider agenda items out of order.

- Call to Order and Roll Call

9:35 a.m.- Closed Session, Call to Order in Council Chambers
Councilmembers Absent: Arenas. (Excused)

1:32 p.m.- Regular Session, Council Chambers, City Hall
Councilmembers Absent: Arenas. (Excused)

- Invocation (District 10)
Pastor Eugene Chu from Chinese Church in Christ - South Valley provided the Invocation.
- Pledge of Allegiance
Mayor Sam Liccardo led the Pledge of Allegiance.
- Orders of the Day - Heard after Ceremonial Items
The Orders of the Day and the Amended Agenda were approved, with Item 3.3 deferred to an undetermined date and Item 2.2, Ordinance No. 30023, deferred to December 12, 2017.

17-342

New Items Noted:

- 2.11 - Actions Related to the Guadalupe Oak Grove Park Management Plan.
- 2.12 - Vice Mayor's Staff Travel to Annapolis, MD.
- 2.13 - Councilmember Diep's Travel to Washington, DC.
- 2.14 - Actions Related to Councilmember Diep's Travel to Washington, DC.
- 2.15 - District 1 Dumpster Day.
- 2.16 - Tri-Village Advisory Group Appreciation Dinner.
- 2.17 - District 7 Community Events.
- 2.18 - District 7 Faith Leaders Breakfast.

Orders of the Day (Cont'd.)

2.19 - District 6 Faith Leaders Luncheon.

2.20 - District 8 Community Events.

Requires A Determination By A Two-Thirds (2/3) Vote of the Members of the Council Present At The Meeting, or, if less than Two-Thirds (2/3) of the Members of the Council are Present at the Meeting, a Unanimous Vote of those Members Present that there is a Need to Take Immediate Action.

Council's Rules of Conduct, Resolution No. 78145, Rule 3(d) (8 votes required).

Closed Session Report

None provided.

1. CEREMONIAL ITEMS

- 1.1 17-149** Presentation of a proclamation recognizing Saturday, November 25, 2017 as Small Business Saturday in the City of San José. (Khamis)
Mayor Sam Liccardo and Councilmember Johnny Khamis presented a proclamation to small business owners recognizing Saturday, November 25, 2017 as Small Business Saturday in the City of San José.
- 1.2 17-285** Presentation of a commendation to Trash Punx. (Jimenez)
Mayor Sam Liccardo and Councilmember Sergio Jimenez presented a commendation to Trash Punx for their commitment and action to cleaning up San José.
- 1.3 17-286** Presentation of a proclamation declaring the month of November as Family Caregiver Awareness Month. (Jimenez)
Mayor Sam Liccardo and Councilmember Sergio Jimenez presented a proclamation declaring the month of November as Family Caregiver Awareness Month in the City of San José to raise awareness of family caregiver issues, celebrate the efforts of family caregivers, educate family caregivers about self-identification, and increase support for family caregivers.

2. CONSENT CALENDAR

2.1 Approval of City Council Minutes.

17-232 Approval of City Council Minutes.

Recommendation: (a) Regular Minutes of May 23, 2017.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (City Clerk)
Approved.

2.2 Final Adoption of Ordinances.

17-312

Final Adoption of Ordinances.

Recommendation:

ORDINANCE NO. 30016 - An ordinance of the City of San José adding Section 12.02.095 and 12.02.110 to Chapter 12.02 and amending Chapter 12.08 of Title 12 of the San José Municipal Code in its entirety, to align with the Political Reform Act's Gift Provisions, except for the Political Reform Act's Higher Gift Limit and making other clerical or technical changes. CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (City Attorney)

Ordinance No. 30016 adopted.

ORDINANCE NO. 30017 - An ordinance of the City of San José amending various sections of Chapter 3.28 and 3.58 of Title 3 of the San José Municipal Code to implement the amendments to the terms of the Alternative Pension Reform Settlement Framework Agreement with City nonsworn employee bargaining unit groups. CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (City Manager)

Ordinance No. 30017 adopted.

ORDINANCE NO. 30020 - An ordinance of the City of San José amending Part 8 to Chapter 17.23 of Title 17 of the San José Municipal Code extending the termination date (Interim Apartment Rent Ordinance). CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (Housing)

Ordinance No. 30020 adopted.

ORDINANCE NO. 30021 - An ordinance of the City of San José rezoning certain real property of approximately 0.72-gross acre situated at the south side of East Brokaw Road, approximately 110 feet west of Junction Avenue, (524 East Brokaw Road) from the HI Heavy Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District. CEQA: Determination of Consistency with the Final Program Environmental Impact Report (EIR) for the Envision San José 2040 General Plan (Resolution No. 76041) and the Envision San José 2040 General Plan Supplemental Environmental Impact Report (Resolution No. 77617) and Addenda thereto. Planning, Building and Code Enforcement Director recommends approval. (Planning, Building and Code Enforcement)

C17-028 - Council District 3

Ordinance No. 30021 adopted.

(Item continued on the next page)

2.2 Final Adoption of Ordinances (Cont'd.)

17-312 **Final Adoption of Ordinances.**

ORDINANCE NO. 30022 - An ordinance of the City of San José rezoning certain real property of approximately 2.18-gross acres situated at the south side of Silver Creek Valley Road, approximately 400 feet east of Hellyer Avenue (5952 Silver Creek Valley Road) from the IP Industrial Park Zoning District to the CIC Combined Industrial/Commercial Zoning District. CEQA: Determination of Consistency with the Final Program Environmental Impact Report (EIR) for the Envision San José 2040 General Plan (Resolution No. 76041) and the Envision San José 2040 General Plan Supplemental Environmental Impact Report (Resolution No. 77617), and Addenda thereto. Planning, Building and Code Enforcement Director recommends approval. (Planning, Building and Code Enforcement) C17-036 - Council District 2

Ordinance No. 30022 adopted.

ORDINANCE NO. 30023 - An ordinance of the City of San José rezoning certain real property of approximately 64.59 acres situated northwest of State Route 237 and McCarthy Boulevard (1657 Alviso-Milpitas Road) from the A(PD) Planned Development Zoning District to the LI Light Industrial Zoning District. CEQA: 237 Industrial Center Environmental Impact Report. Planning Commission recommends approval (7-0-0). (Planning, Building and Code Enforcement)

C15-054, SP16-053 & V17-004 - Council District 4

Ordinance No. 30023 deferred to 12/12/17 per Orders of the Day.

2.3 Approval of Council Committee Minutes.

17-291 **Approval of Council Committee Minutes.**

Recommendation: (a) Neighborhood Services and Education Committee Minutes of October 12, 2017. (Rocha)
(b) Rules and Open Government Committee Minutes of October 18, 2017. (Mayor)
(c) Public Safety, Finance and Strategic Support Committee Minutes of October 19, 2017. (Perales)
(d) Community and Economic Development Committee Minutes of October 23, 2017. (Khamis)
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

Approved.

2.4 Mayor and Council Excused Absence Requests.

None provided.

2.5 City Council Travel Reports.

None provided.

2.6 Report from the Council Liaison to the Retirement Boards.

None provided.

2.7 17-284 Report on Bids and Award of Contract for the 8692 - Installations of Water Services and Mains: 2017 Project.

Recommendation: (a) Report on bids and award of contract for the 8692 - Installations of Water Services and Mains: 2017 project to the low bidder, San José Water Company, for the initial term of November 2017 through November 2020, in an amount not to exceed \$685,482.

Report accepted.

(b) Adopt a resolution authorizing the City Manager to exercise one option to extend the contract for an additional one-year term after the expiration of the initial term in an amount not to exceed \$228,494, and a second option to extend the term of the contract for an additional one-year term after the first option year in an amount not to exceed \$228,494, for a total maximum contract amount of \$1,142,470 if both option years are exercised.

CEQA: Exempt, File No. PP17-050, CEQA Guidelines Section 15301, Existing Facilities and CEQA Guidelines Section, 15302 Replacement or Construction. (Environmental Services)

Resolution No. 78404 adopted.

2.8 17-282 Actions Related to the Purchase Order with Environmental Systems, Inc. for Maintenance and Repair Services for HVAC Building Management Systems.

Recommendation: Adopt a resolution authorizing the City Manager to:
(a) Execute a Purchase Order with Environmental Systems, Inc. (Santa Clara, CA) for Heating, Ventilation, and Air Conditioning (HVAC) maintenance and repair services for HVAC Building Management Systems for an initial twelve-month period commencing on or about November 8, 2017, for an amount not-to-exceed \$125,000; and
(b) Execute up to four additional one-year options to renew the Purchase Order, with the final option year ending on or about November 7, 2022, subject to the annual appropriation of funds.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
(Finance)

Resolution No. 78405 adopted.

2.9 17-270 Agreement with Steve P. Rados, Inc., for Design and Construction of Fourth Street 84-inch Interceptor Phase VI-A Project.

Recommendation:

Adopt a resolution:

- (a) Approving the final rankings of the design-build entity that responded to the Request for Proposals for the 4880 - Fourth Street 84 -inch Interceptor Phase VI-A Project (“Project”); and
- (b) Authorizing the Director of Public Works to negotiate a Design-Build contract for the Project with Steve P. Rados, Inc.

CEQA: Determination of Consistency with the Mitigated Negative Declaration for Sewer Interceptor Phase VIA Public Project (Resolution No. 77626), File No. PP10-160. (Public Works)

Deferred to 11/28/17 per Administration.

2.10 17-273 Actions Related to the Approval of Employee Benefit Insurance Agreements.

Recommendation:

Adopt a resolution authorizing the City Manager to:

- (a) Negotiate and execute an agreement between the City and Standard Insurance Company to provide group basic life and accidental death & dismemberment (AD&D) insurance, supplemental life insurance, dependent life insurance, and matching accidental death & dismemberment (AD&D) insurance as applicable, to employees and retirees for the period of January 1, 2018 to December 31, 2021;
- (b) Negotiate and execute an agreement between the City and Standard Insurance Company to provide long-term disability (LTD) insurance to employees for the period of January 1, 2018 through December 31, 2021; and
- (c) Negotiate and execute an amendment to the agreement between the City and Life Insurance Company of North America, an affiliated Cigna Company, to provide voluntary accidental death and dismemberment (personal accident) insurance to employees and retirees for the period of January 1, 2018 through December 31, 2021.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Human Resources)

Renumbered from Item 3.7

Resolution No. 78406 adopted.

2.11 17-313 Actions Related to the Guadalupe Oak Grove Park Management Plan.

Recommendation:

Adopt the following 2017-2018 Appropriation Ordinance amendments in the Construction Tax and Property Conveyance Tax Fund: Parks Purposes Council District #10:

- (1) Establish the Guadalupe Oak Grove Park Management Plan appropriation to the Parks, Recreation and Neighborhood Services Department in the amount of \$250,000; and

(Item continued on the next page)

2.11 17-313 Actions Related to the Guadalupe Oak Grove Park Management Plan (Cont'd.)

(2) Decrease the Ending Fund Balance by \$250,000.

CEQA: Exempt, File No. PP17-073, CEQA Section 15308 Actions by Regulatory Agencies for Protection of Natural Resources. Council District 10. (Parks, Recreation and Neighborhood Services/City Manager)

Ordinance No. 30026 adopted.

2.12 17-335 Vice Mayor's Staff Travel to Annapolis, MD.

Recommendation:

Retroactively approve travel for Vice Mayor's staff, Sachin Radhakrishnan, to Annapolis, Maryland from October 31, 2017 to November 3, 2017 to attend the Sister Cities International Fall Conference. Source of Funds: Mayor/Council Travel Budget. CEQA: Not a Project, File No. PP17-010, City Organization & Administrative Activities resulting in no change to the physical environment. (Carrasco)

Vice Mayor Magdalena Carrasco pulled Item 2.12 to report out on her attendance at the Sister Cities International Fall Conference.

2.13 17-326 Councilmember Diep's Travel to Washington, DC.

Recommendation:

Approve travel by Councilmember Diep to Washington, DC from November 16, 2017 to November 17, 2017 to attend a leadership training for minority elected officials organized by the New American Leaders Project, a 501(c)(3) non-profit organization under the Internal Revenue Code. Source of Funds: New American Leaders Project, a 501(c)(3) non-profit organization and District 4 Office Budget. CEQA: Not a Project, File No. PP17-010, City Organization & Administrative Activities resulting in no change to the physical environment. (Diep)

Approved.

2.14 17-327 Actions Related to Councilmember Diep's Travel to Washington, DC.

Recommendation:

(a) Retroactively approve travel by Councilmember Diep to Washington, DC from November 1, 2017 to November 3, 2017 to attend Equal Justice Works annual leadership development training. Source of Funds: Equal Justice Works, a 501(c)(3) non-profit organization and District 4 Office Budget.

(b) Retroactively approve an excused absence for Councilmember Diep from the November 2, 2017 Smart Cities and Service Improvements Committee.

CEQA: Not a Project, File No. PP17-010, City Organization & Administrative Activities resulting in no change to the physical environment. (Diep)

Approved.

2.15 17-336 District 1 Dumpster Day.

Recommendation:

As referred by the Rules and Open Government Committee on November 1, 2017:

(a) Retroactively approve the Dumpster Day held on October 21, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.

(b) Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Jones)

[Rules Committee referral 11/1/17 - Item G.1.a.]

Approved.

2.16 17-337 Tri-Village Advisory Group Appreciation Dinner.

Recommendation:

As referred by the Rules and Open Government Committee on November 1, 2017:

(a) Retroactively approve the Tri-Village Advisory Group Appreciation Dinner held on Monday, November 6, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.

(b) Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Jones)

[Rules Committee referral 11/1/17 - Item G.1.b.]

Approved.

2.17 17-338 District 7 Community Events.

Recommendation:

As referred by the Rules and Open Government Committee on November 1, 2017:

(a) Retroactively approve the following District 7 events as City Council sponsored Special Events and approve the expenditure of funds:

(1) Pizza Social at Dahl Neighborhood on Saturday, October 21, 2017 at corner of Baltic Way and Arctic Avenue;

(2) Varoween Haunted House on Saturday, October 28, 2017 at the Vietnamese American Community Center; and

(3) Halloween Festival on Tuesday, October 31, 2017 at Tully Library.

(b) Approve the following District 7 events as City Council sponsored Special Events and approve the expenditure of funds:

(1) Dumpster Day at Alma Neighborhood on Saturday, December 2, 2017 at Alma Community Center; and

(2) Richardson Park Grand Opening Celebration on Saturday, December 9, 2017 at Richardson Park.

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2.17 17-338 District 7 Community Events (Cont'd.)

(3) Clean Up with Tam on Saturday, December 16, 2017 at Tolbert Drive and Lanai Avenue.

(c) Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Nguyen)

[Rules Committee referral 11/1/17 - Item G.1.c.]

Approved.

2.18 17-339 District 7 Faith Leaders Breakfast.

Recommendation:

As referred by the Rules and Open Government Committee on November 1, 2017:

(a) Approve the District 7 Faith Leaders Breakfast scheduled on November 9, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.

(b) Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Nguyen)

[Rules Committee referral 11/1/17 - Item G.1.d.]

Approved.

2.19 17-340 District 6 Faith Leaders Luncheon.

Recommendation:

As referred by the Rules and Open Government Committee on November 1, 2017:

(a) Approve the District 6 Faith Leaders Luncheon scheduled on November 9, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.

(b) Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Davis)

[Rules Committee referral 11/1/17 - Item G.1.e.]

Approved.

2.20 17-341 District 8 Community Events.

Recommendation:

As referred by the Rules and Open Government Committee on November 1, 2017:

(a) Retroactively approve the following District 8 events as City Council sponsored Special Events and approve the expenditure of funds:

(1) Thompson Creek Clean-Up held on Saturday, August 12, 2017;

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2.20 17-341 District 8 Community Events (Cont'd.)

(2) Coastal Creek Clean-Up held on Saturday, September 16, 2017 at Thompson Creek; and

(3) Day in the Park Festival Kick-Off Celebration held on Friday, October 6, 2017 at Lake Cunningham Regional Park.

(b) Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Arenas)

[Rules Committee referral 11/1/17 - Item G.1.f.]

Approved.

3. STRATEGIC SUPPORT

3.1 Report of the City Manager, David Sykes (Verbal Report)

City Manager David Sykes announced the selection of Rosario Neaves as San José's new Director of Communications.

3.2 Labor Negotiations Update. *Accept Labor Negotiations Update.*

None provided.

3.3 17-281 Retirement Services Audit.

Recommendation: As recommended by the Public Safety, Finance, and Strategic Support Committee on October 19, 2017, accept the audit of Retirement Services. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City actions. (City Auditor)
[Public Safety, Finance, and Strategic Support Committee referral 10/19/17 - Item (d)5]

Deferred per Orders of the Day.

3.4 17-293 Approval of the Terms of the Settlement Agreement Concerning the Litigation Arising Out of Measure B with the San José Retired Employees' Association (SJREA) and Related Appropriation Actions.

Recommendation: (a) Adopt a resolution to approve the terms of the Settlement Agreement between the City and the San José Retired Employees' Association and the four (4) individual plaintiffs who were parties to the case regarding 2012 Measure B and retiree healthcare matters.
Resolution No. 78407 adopted.

(Item continued on the next page)

3.4 17-293 Approval of the Terms of the Settlement Agreement Concerning the Litigation Arising Out of Measure B with the San José Retired Employees' Association (SJREA) and Related Appropriation Actions (Cont'd.)

(b) Adopt the following 2017-2018 Appropriation Ordinance amendments in the General Fund:

(1) Establish a City-Wide Expenses Measure B Settlement appropriation to the City Manager's Office in the amount of \$1,750,000; and

Ordinance No. 30027 adopted.

(2) Decrease the Retiree Healthcare Solutions Reserve in the amount of \$1,750,000.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment; and File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project with may result in a potentially significant physical impact on the environment. (City Manager)

Accepted.

3.5 17-294 Amendment to the City Pay Plan for Various Classifications.

Recommendation:

Adopt a resolution to:

(a) Amend the City of San José Pay Plan, effective November 19, 2017, to change the salary range for the following classifications:

(1) Structure/Landscape Designer I (3858) with a salary range of \$72,943.58 - \$92,283.02 annually;

(2) Structure/Landscape Designer II (3842) with a salary range of \$76,592.94 - \$96,959.46 annually;

(b) Amend the City of San José Pay Plan, effective November 19, 2017, to change the salary range for the following classification:

(1) Senior Librarian (6235) with a salary range of \$89,275.80 - \$108,772.31;

(c) Approve a 4.0% ongoing non-pensionable retention premium pay for the Chief of Police U (2227), effective November 19, 2017.

CEQA: Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment. (City Manager)

Resolution No. 78408 adopted.

3.6 17-265 Actions Related to the Request for Proposal for Transportation Incident Management Center Event Tracking System.

Recommendation: Accept the report on the Request for Proposal and adopt a resolution authorizing the City Manager to:

- (a) Negotiate and execute an Agreement with Parsons Transportation Group, Inc. (La Palma, CA) for the purchase and deployment of a Transportation Incident Management Center Event Tracking System (System), including software, and professional services for project management, software development, implementation, configuration, training and ongoing support and maintenance for an initial term of twelve years ending on or around December 2029, with a maximum compensation not-to-exceed \$1,678,351, including ten years of post-implementation maintenance and support, subject to the appropriation of funds; and
- (b) Execute amendments and change orders as may be required for any unanticipated changes to the City's requirements, not to exceed \$255,000, subject to the appropriation of funds.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Finance)

Deferred to 11/28/17 per Administration.

**3.7 Actions Related to the Approval of Employee Benefit Insurance Agreements.
RENUMBERED TO ITEM 2.10**

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 17-290 Vacant Storefronts Registry Program.

Recommendation: As recommended by the Community and Economic Development Committee on October 23, 2017, accept the staff report and establish a mandatory registration program for storefronts in Downtown San José that have been vacant for 30 days and do not possess active City of San José Building Department permits under the parameters outlined in the staff memorandum. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Economic Development/Planning, Building & Code Enforcement)
[Community and Economic Development Committee referral 10/23/17 - Item (d)(3)]

Accepted, including the joint memorandum from Vice Mayor Magdalena Carrasco, Councilmember Raul Peralez and Councilmember Chappie Jones, dated November 3, 2017 to "Accept the staff report and establish a pilot mandatory registration program for storefronts in Downtown San José that have been vacant for 30 days

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4.1 17-290 Vacant Storefronts Registry Program (Cont'd.)

and have not fulfilled the requirements outlined in the staff memorandum”; and including Item 2(b) from the memorandum from Councilmember Sergio Jimenez, dated November 7, 2017: “In considering city-wide expansion of the ordinance, address the lack of staffing within the Code Enforcement Department by developing strategies to fill current vacancies necessary to scale this program citywide.”.

5. NEIGHBORHOOD SERVICES

6. TRANSPORTATION & AVIATION SERVICES

6.1 17-283 Actions Related to the Purchase Order with Proterra, Inc. for Airport Electric Buses.

Recommendation: Adopt a resolution authorizing the City Manager to:
(a) Execute a purchase order with Proterra, Inc. (Burlingame, CA) for the purchase of ten new electric passenger shuttle buses for the Mineta San José International Airport, in an amount not-to-exceed \$7,598,238, excluding applicable sales tax and license fees;
(b) Approve a contingency of \$760,000 for any unforeseen changes or modifications to the design of the vehicles, subject to the appropriation of funds; and
(c) Approve the purchase of additional buses for up to five years from the initial purchase date, subject to the appropriation of funds.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
(Finance)
Resolution No. 78409 adopted.

7. ENVIRONMENTAL & UTILITY SERVICES

7.1 17-295 Ordinance to add Title 26 to the San José Municipal Code - San José Clean Energy.

Recommendation: Approve an ordinance to add Title 26 to the San José Municipal Code to provide procedures for the operation and management of San José Clean Energy. CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (City Attorney/City Manager)
Ordinance No. 30028 passed for publication, including direction to staff to add additional language to codify that the City will offer at least one power mix option with a rate equal or less than PG&E’s rates.

8. PUBLIC SAFETY

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE

- Open Forum
Offering concerns regarding the proposed Apartment Rent Ordinance and objections to rental income being controlled by CPI were Bob Ehlers, Maxine Lubow, Michael Fitzgerald, David Eisbach, Hortense Vasquez, Ken Schneebeil, Lau Bahn, Jaime Gonzalez, Dan Pan and Kimi.
Blair Beekman reiterated concerns regarding the proposed Transportation Incident Management Center Event Tracking System and asked for increased transparency.
- Adjournment
Mayor Sam Liccardo adjourned the Council Meeting at 4:48 p.m.